

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: NI et al.

Application Serial No.: 09/176,200

Group Art Unit: 1642

Filed: October 21, 1998

Examiner: Holleran, A.

Human Tumor Necrosis Factor Receptor-Like
Proteins TR11, TR11SV1, and TR11SV2

Atty. Docket No.: PF396

DECLARATION OF JIAN NI UNDER 37 C.F.R. § 1.132

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. I, Jian Ni, hereby declare and state as follows:
2. I am a named inventor of the captioned application. I am employed by Human Genome Sciences, Inc. (HGS), Rockville, Maryland, assignee of the above-identified application, as a Scientist in the Department of Molecular Biology. The work described below was done by myself, under my supervision, or as part of a collaborative research effort with other individuals at HGS.
3. DNA sequences were derived from cDNA clones "HHEAC71," "HT5EA78," and "HCFAZ22," and the DNA sequences were disclosed in the captioned application as SEQ ID NO:1, SEQ ID NO:3, and SEQ ID NO:5, respectively.
4. cDNA clones HHEAC71, HT5EA78, and HCFAZ22 were deposited with the American Type Culture Collection (ATCC) on October 7, 1997 and assigned ATCC accession numbers 209341, 209342, and 209343, respectively, as evidenced by the copy of the ATCC deposit receipt attached hereto as Exhibit A. The ATCC deposit receipt identifies each of the cDNA clones deposited by the "DNA Plasmid" numbers 1724062, 2136388, and 1129852, respectively.

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5. The DNA Plasmid numbers 1724062, 2136388, and 1129852 are the HGS code numbers for cDNA clones HHEAC71, HT5EA78, and HCFAZ22, respectively. Copies of printouts from HGS' electronic database showing the correspondence between cDNA clones HHEAC71, HT5EA78, and HCFAZ22 and DNA Plasmid numbers 1724062, 2136388, and 1129852, respectively are attached hereto as Exhibits B, C, and D, respectively.

6. Thus, from the facts recited above, I conclude that cDNA clones HHEAC71, HT5EA78, and HCFAZ22 (designated as DNA Plasmids 1724062, 2136388, and 1129852, respectively) were deposited with the ATCC on October 7, 1997 and assigned ATCC deposit numbers 209341, 209342, and 209343, respectively.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereupon.

5/17/2002
Date


Jian Ni, Ph.D.